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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,640	03/30/2004	Takayuki Takimoto	82285	5271

22242 7590 09/01/2006

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EXAMINER	
SLITERIS, JOSELYNN Y	

ART UNIT	PAPER NUMBER
3616	

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/812,640	TAKIMOTO, TAKAYUKI	
	Examiner	Art Unit	
	Joselynn Y. Sliteris	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *8/11/06*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) *4,5,7-10,14,15,18-20,23-25* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6,11-13,16,17,21 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 March 2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *03302004; 08162004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Species II represented by Figs. 4-5c in the reply filed on 8/11/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Claims 4, 5, 7-10, 14, 15, 18-20, and 23-25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8/11/06.

Drawings

3. The drawings are objected to because the descriptive text in the drawings is improper. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible errors. Applicant's cooperation is requested in thoroughly reviewing the application and correcting any errors of which applicant may become aware in the specification.

The examiner notes the following informalities: in paragraph [0021] line 1, "Fig. 3 is a" should be --Figs. 3(a) & 3(b) are--; in paragraph [0023] line 1, "Fig. 5 is a" should be --Figs. 5(a)-5(c) are--; in paragraph [0026] line 1, "Fig. 8 is a" should be --Figs. 8(a)-8(c) are--; in paragraph [0036] last line, "through" should be --to--; ETC. Appropriate correction is required.

Claim Objections

5. Claim 22 is objected to because of the following informalities: in line 1 after "folding", --of-- should be inserted; in line 2 after "tethering", --of-- should be inserted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. In claim 1 lines 5-6, "the longitudinal direction" lacks proper antecedent basis in the claim.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-3, 11-13, 16, 17, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Weir et al. (U.S. Patent 5,906,391), as cited by applicant.

11. Regarding claims 1-3 and 11, Weir discloses an airbag 10, 120, 140 (Figs. 1-8, 12, 13) as in the present invention comprising:

an internal space that is inflated upon airbag deployment;

at least one material panel 12, 124, 124a, 152, 152a that is formed into an elongate configuration extending about at least a portion of the internal space; and

at least one panel portion 58, 122, 156 of the one material panel that extends in the longitudinal direction in the internal space and acts to tether the airbag for limiting inflation thereof in a direction transverse to the longitudinal direction;

wherein the one panel portion divides the airbag internal space into at least two isolated chambers 60, 62, 130, 132, 148, 150, and the one panel portion includes at least one vent hole 56, 128, 129, 144 to provide airflow between the chambers for substantially uniform airbag inflation;

wherein the at least one material panel comprises a pair of material panels 12, 124, 124a, 152, 152a that extend in the longitudinal direction and cooperate to form the internal space, and the at least one panel portion divides the airbag into at least two chambers;

including a gas generator for inflating the airbag internal space for airbag deployment.

12. Regarding claim 12, 13, 16, and 17, Weir discloses an airbag 10, 120, 140 (Figs. 1-8, 12, 13) as in the present invention comprising:

an internal space that is inflated upon airbag deployment;

at least one material panel 12, 124, 124a, 152, 152a extending at least partially about the internal space;

at least one tether panel 58, 122, 156 that divides the internal space into at least two chambers 60, 62, 130, 132, 148, 150; and

at least one vent hole 56, 128, 129, 144 in the tether panel to allow the two chambers to be in communication for substantially uniform airbag inflation;

wherein the one material panel and one tether panel are of a single material piece;

wherein the at least one material panel comprises a pair of material panels 12, 124, 124a, 152, 152a that are folded to form the two chambers;

wherein the one tether panel is integral with one of the pair of material panels so that the one tether panel comprises a single material layer.

13. Regarding claims 21 and 22, Weir discloses a method of forming an airbag 10, 120, 140 (Figs. 1-8, 12, 13) as in the present invention comprising:

folding at least one material panel 12, 124, 124a, 152, 152a to extend about at least a portion of an airbag internal space to be inflated with the folded material panel having an elongate configuration extending in a longitudinal direction;

tethering the airbag with a portion of the one material panel extending in the longitudinal direction in the airbag internal space to limit inflation thereof in a direction transverse to the longitudinal direction;

dividing the airbag internal space into at least two chambers 60, 62, 130, 132, 148, 150 with the longitudinally extending portion of the one material panel in the airbag internal space; and

providing a through opening 56, 128, 129, 144 in the material panel portion to vent inflation gas therethrough for substantially uniform airbag inflation;

wherein the folding of at least one material panel comprises folding a pair of material panels about the airbag internal space, and the tethering of the airbag

comprises tethering the airbag with a portion of one of the pair of material panels (Fig. 12).

14. Claims 1-3, 6, 11-13, 16, 17, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Jang et al. (EP 1 122 134), as cited by applicant.

15. Regarding claims 1-3, 6, and 11, Jang discloses an airbag 500 (Figs. 6-12) as in the present invention comprising:

an internal space that is inflated upon airbag deployment;

at least one material panel 540, 550 that is formed into an elongate configuration extending about at least a portion of the internal space; and

at least one panel portion 541 of the one material panel that extends in the longitudinal direction in the internal space and acts to tether the airbag for limiting inflation thereof in a direction transverse to the longitudinal direction;

wherein the one panel portion divides the airbag internal space into at least two isolated chambers 504, 505, and the one panel portion includes at least one vent hole 542 to provide airflow between the chambers for substantially uniform airbag inflation;

wherein the at least one material panel comprises a pair of material panels 540, 550 that extend in the longitudinal direction and cooperate to form the internal space, and the at least one panel portion divides the airbag into at least two chambers;

wherein the one material panel 540 is longer than the other material panel 550 of the pair of material panels in a widthwise direction transverse to the longitudinal direction due to the one panel portion thereof so that only a single material layer divides the two chambers from each other.

including a gas generator 410 for inflating the airbag internal space for airbag deployment.

16. Regarding claim 12, 13, 16, and 17, Jang discloses an airbag 500 (Figs. 6-12) as in the present invention comprising:

an internal space that is inflated upon airbag deployment;

at least one material panel 540, 550 extending at least partially about the internal space;

at least one tether panel 541 that divides the internal space into at least two chambers 504, 505; and

at least one vent hole 542 in the tether panel to allow the two chambers to be in communication for substantially uniform airbag inflation;

wherein the one material panel 540 and one tether panel 541 are of a single material piece;

wherein the at least one material panel comprises a pair of material panels 540, 550 that are folded to form the two chambers;

wherein the one tether panel 541 is integral with one of the pair of material panels 540 so that the one tether panel comprises a single material layer.

17. Regarding claims 21 and 22, Jang discloses a method of forming an airbag 500 (Figs. 6-12) as in the present invention comprising:

folding at least one material panel 540, 550 to extend about at least a portion of an airbag internal space to be inflated with the folded material panel having an elongate configuration extending in a longitudinal direction;

tethering the airbag with a portion 541 of the one material panel 540 extending in the longitudinal direction in the airbag internal space to limit inflation thereof in a direction transverse to the longitudinal direction;

dividing the airbag internal space into at least two chambers 504, 505 with the longitudinally extending portion 541 of the one material panel 540 in the airbag internal space; and

providing a through opening 542 in the material panel portion to vent inflation gas therethrough for substantially uniform airbag inflation;

wherein the folding of at least one material panel 540, 550 comprises folding a pair of material panels about the airbag internal space, and the tethering of the airbag comprises tethering the airbag with a portion 541 of one 540 of the pair of material panels (Fig. 11).

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joselynn Y. Sliteris whose telephone number is 571-272-6675. The examiner can normally be reached on Mon, Tues & Thurs 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joselynn Y. Sliteris 8/24/06
Patent Examiner
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